

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA  
UNITED STATES OF AMERICA

v.

Case No. 15-168

FREDERICK BANKS,  
Defendant.

**MOTION TO WITHDRAW AS COUNSEL**

AND NOW, comes Robert Staley Carey, Jr., counsel for the Defendant, Frederick Banks,  
and files this Motion to Withdraw as Counsel:

1. By Order dated February 9, 2023, Judge Mark R. Hornak appointed Attorney Robert Carey to represent the Defendant relative to a resentencing in this case. *See Document # 1584.*
2. On April 25, 2023, this Honorable Court held a sentencing hearing. At the conclusion of the proceeding, the Defendant requested the appointment of new counsel to file an appeal.
3. As the pending appeal may raise issues challenging the effectiveness of the representation provided by undersigned counsel, the undersigned perceives that a new attorney should handle the Defendant's appeal.
4. Additionally, given the completion of the sentencing proceedings, continued work on the case exceeds the scope of representation contemplated by the existing appointment.

WHEREFORE, counsel for the Defendant respectfully requests that this Honorable Court enter an Order granting his request to withdraw as counsel for Defendant, Frederick Banks.

Respectfully submitted,

s/ *Robert Carey*  
Robert S. Carey, Jr.  
PA ID# 85155